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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Before The  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of )  
 )  
Amendment of Parts 15 and 90 )  
of the Commission's Rules to ) ET Docket No. 93-235  
Provide Additional Frequencies ) RM-8094  
for Cordless Telephones )

To: The Commission

REPLY COMMENTS OF THE  
INDUSTRIAL TELECOMMUNICATIONS ASSOCIATION, INC.

The Industrial Telecommunications Association, Inc. ("ITA") hereby respectfully submits these Reply Comments in the above-referenced rule making proceeding of the Federal Communications Commission.<sup>1</sup>

I. PRELIMINARY STATEMENT

1. The Industrial Telecommunications Association, formerly the Special Industrial Radio Service Association, Inc., is a non-profit association organized under the laws of the District of Columbia. ITA is the Commission's certified frequency coordinator for the Special Industrial Radio Service and the Industrial/Land Transportation 800/900 MHz frequency "pools." ITA also coordinates channels from the general access pool for

<sup>1</sup> Notice of Proposed Rule Making, ET Docket No. 93-235, 58 Fed. Reg. 51299 (October 1, 1993), hereinafter referred to as "Notice". By Order adopted November 3, 1993, 58 Fed. Reg. 59977 (November 12, 1993), the date for filing these Reply Comments was extended to December 23, 1993.

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those entities (a) eligible to become Industrial/Land Transportation licensees, (b) wishing to expand trunked systems, or (c) consolidating conventional systems into a trunked system. ITA coordinates in excess of 6,000 applications per year on behalf of applicants seeking Commission authority to operate radio stations on frequency assignments allocated to the Special Industrial Radio Service and the enumerated 800/900 MHz frequency "pools."

2. ITA enjoys the support of a membership that includes more than 9,000 licensed two-way land mobile radio communications users and the following trade associations:

Alliance of Motion Picture and Television Producers  
American Mining Congress  
Associated Builders & Contractors, Inc.  
Florida Citrus Processors Association  
Florida Fruit & Vegetable Association  
National Aggregates Association  
National Agricultural Aviation Association  
National Food Processors Association  
National Propane Gas Association  
National Ready-Mixed Concrete Association  
National Utility Contractors Association  
New England Fuel Institute  
United States Telephone Association

## **II. REPLY COMMENTS**

3. In this proceeding, the Commission has proposed to provide additional frequencies for operation of cordless telephones. The proposed frequencies are in the 43-45 MHz and 48-50 MHz ranges and include frequencies allocated to the Petroleum,

Forest Products and Motor Carrier Radio Services. The American Petroleum Institute ("API"), Utilities Telecommunications Council ("UTC"), and Forest Industries Telecommunications ("FIT") have filed comments objecting to the proposed allocation.

4. In its comments, API argues that the proposal, if adopted, could result in an intolerable level of harmful interference to critical communications of the petroleum and natural gas industries. UTC and FIT make similar arguments.

5. With regard to the comments of API, UTC and FIT, ITA believes that two points, in particular, warrant emphasis. First, contrary to the implicit premise of the Commission's Notice, private land mobile entities do make considerable use of the frequencies in the band 25-50 MHz. Second, the Commission has already taken actions designed to accommodate the perceived need for additional cordless telephone frequencies.

**A. It Is Not Practical To Operate Cordless Telephones On 25-50 MHz Frequencies Allocated For Private Land Mobile Use.**

6. There is no question that private land mobile use of the 25-50 MHz band is less intensive than the 150-174 MHz and 450-512 MHz bands. However, it is not accurate to assume that use of the frequencies at 25-50 MHz is insignificant. API's comments document prominent examples of substantial petroleum systems currently operating at 48-50 MHz. For example, API reported that Exxon Communications Company operates 1,428 mobile units and 44

base stations on the frequency 48.860 MHz in Alabama, Florida, Louisiana, Mississippi, and Texas. Similarly, Northwest Pipeline Corporation operates 750 mobile units and 12 base stations on this same frequency in Colorado, New Mexico, Utah, and Wyoming.

7. API's statistics establish that there are a minimum of 3,841 mobile transmitters currently operating on the frequency 48.860 MHz. Citing these statistics, API argues that the 48-50 MHz range does not represent a useful candidate for sharing with cordless telephone operations.

8. ITA believes that, for other reasons as well, the frequencies in the band 25-50 MHz that are allocated for private land mobile use do not represent a practical alternative for cordless telephone operations. In its Notice of Inquiry in PR Docket No. 91-170<sup>2</sup>, the Commission observed that "(t)ransmissions in the 25-50 MHz band ... will at times 'skip' hundreds or thousands of miles."<sup>3</sup> The Commission also noted that "a user of the 25-50 MHz band may at times receive interference from signals

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<sup>2</sup> PR Docket No. 91-170 is the proceeding in which the Commission first explored the possibility of "refarming" the private land mobile radio spectrum below 800 MHz. The Notice of Inquiry in this proceeding was released on July 2, 1991 and is reported at 6 FCC Rcd 4125. Docket No. 91-170 was subsequently terminated when the Commission issued its "refarming" Notice of Proposed Rule Making in PR Docket No. 92-235, 7 FCC Rcd 8105 (1992).

<sup>3</sup> Notice of Inquiry, PR Docket No. 91-170, footnote 29.

originating several states away."<sup>4</sup>

9. In view of the unusual propagation characteristics inherent in transmissions in the 25-50 MHz band, it is likely that cordless telephones which operate on the same frequencies as private land mobile systems will be subject, at random intervals, to intolerable interference. As API has stated in its comments, there is a significant likelihood that the "vastly more powerful" private land mobile transmissions will interfere with cordless telephone use.<sup>5</sup>

**B. The Commission Has Made Adequate Provisions For Cordless Telephone Operations.**

10. ITA agrees with the comments asserting that the Commission has already provided adequate spectrum for the operation of cordless telephones. The First Report and Order in GEN Docket No. 90-314 and ET Docket No. 92-100 allocated three megahertz of spectrum in the 900 MHz band for narrowband personal communications services. Under the "broad definition of PCS" adopted by the Commission in this decision<sup>6</sup>, the narrowband PCS spectrum will be available for advanced cordless telephone operations.

11. Additionally, as API has stated, the Commission

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<sup>4</sup> Id.

<sup>5</sup> API Comments, paragraph 6.

<sup>6</sup> First Report and Order, GEN Docket No. 90-314 and ET Docket No. 92-100, at paragraph 13.

anticipates that the 40 MHz of spectrum allocated for unlicensed operations in the Second Report and Order, GEN Docket No. 90-314, will also be used to accommodate cordless telephones. In short, ITA agrees that, in view of the recent PCS allocation decisions, the Commission has already taken significant steps to provide additional spectrum for cordless telephone operations. For this reason, ITA questions the need for allocating additional frequencies in the 25-50 MHz band for cordless telephones.

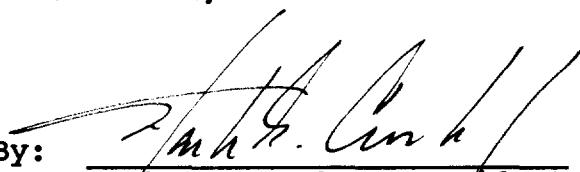
### III. CONCLUSION

12. ITA does not believe that the frequencies at 25-50 MHz already used for private land mobile communications systems represent useful candidates for shared cordless telephone operations. Given the nature of existing private land mobile operations and the prevailing propagation characteristics, the operation of cordless telephones on these frequencies runs the risk of harmful interference to both the cordless telephones and the industrial land mobile systems. Additionally, ITA believes that the Commission's PCS allocation decisions have already provided spectrum to accommodate the needs of cordless telephone users.

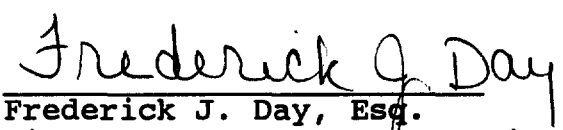
WHEREFORE, THE PREMISES CONSIDERED, the Industrial Telecommunications Association, Inc. respectfully submits these Reply Comments and urges the Federal Communications Commission to act in accordance with the views expressed herein.

**INDUSTRIAL TELECOMMUNICATIONS  
ASSOCIATION, INC.**

By:

  
Mark E. Crosby, President  
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By:

  
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Dated: December 22, 1993